

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.130 of 2017

Arising Out of PS. Case No.-443 Year-2014 Thana- LAKHISARAI District- Lakhisarai

Usha Sharma W/o Late Dr. Kumar Sharad Chandra, R/o Balika Vidyapeeth
Parisar, P.S.District- Lakhisarai.

... .. Petitioner

Versus

1. The State Of Bihar Through Home Secretary, Department Of Home, Bihar.
2. Director General of Police, Bihar.
3. Additional Director General, Criminal Investigation Department, Bihar.
4. Superintendent of Police, Criminal Investigation Department, Bihar.
All the above having correspondence-Old Secretariat, P.S.- Secretariat,
Patna-80001.
5. Superintendent of Police, District- Lakhisarai. PO and PS- Lakhisarai,
District- Lakhisarai.
6. Shambhu Saran Singh, S/o Late Rajeshwar Prasad Singh, R/o- Mohalla-
Bari Dargah, Purani Bazaar, PS and District- Lakhisarai.
7. Shyam Sunder Prasad, S/o Late Babu Dharamraj Prasad Singh, R/o- Punjabi
Mohalla, PS and District- Lakhisarai.
8. Rajendra Singhania, S/o Late Subhkaran Prasad Singhania, R/o Baro Durga
Asthan, Naya Bazaar, PS and District- Lakhisarai.
9. The Central Bureau of Investigation through its Director, New Delhi

... .. Respondents

Appearance :

For the Petitioner/s	:	Mr. Amit Narayan, Advocate Mr. Abhigyan Kumar, Advocate Mr. Jeetendra Narayan, Advocate
For the State	:	Mr. Md. Nadeem Seraj, GP-5
For Resp. No. 6	:	Mr. A.K. Thakur, Advocate Mr. Dr. Anjani Prasad Singh, Advocate
For Resp. Nos. 7 & 8	:	Mr. Ramakant Sharma, Senior Advocate Mr. Sanjeev Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
C.A.V. JUDGMENT

Date : 12-12-2022

Heard learned counsel for the parties.

2. The present writ application has been filed questioning the conduct of the Investigating Officer of the Criminal Investigation Department, (hereinafter referred to as 'C.I.D.')



Bihar in the matter of release of the accused on P.R. bond post issuance of non-bailable warrant of arrest by the competent court and the order of the Hon'ble Supreme Court in the Special Leave to Appeal (Crl) No(s). 269-271/2015 (Usha Sharma versus Shambhu Sharan Singh & Anr. Etc.Etc.) cancelling the privilege of anticipatory bail granted to the private respondent nos. 6 to 8 by the High Court of Judicature at Patna.

3. The petitioner has, while questioning the conduct of the investigating agency in keeping the investigation of the case pending for eight years, prayed for arrest of the respondent nos. 6 to 8 and also prayed for any other relief or reliefs for which the petitioner is found entitled to under the law.

Brief facts of the case

4. The husband of the petitioner was shot dead while he was sitting in the verandah of his residence and reading the newspaper on 02.08.2014 at 6:45 A.M. at Lakhisarai. Petitioner is the informant of the case who alleged that she heard sound of firing and when she went to the verandah, she found that her husband's head was injured with bullet and blood was oozing out from his left eye and a young person with a pistol in his hand was fleeing towards the main gate and another person was waiting outside on a black motorcycle. She identified both of them.



